

FILED

NOV 28 2017

**Clerk, U.S. District Court
District Of Montana
Missoula**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

JOHN HARTSOE,

Plaintiff,

vs.

STATE OF MONTANA, et al.,

Defendants.

CV 16-87-M-DLC-JCL

ORDER

Before the Court is Defendant Michael Umphrey's ("Umphrey") Motion to Dismiss (Doc. 104) the claims advanced against him for, among other things, lack of subject matter jurisdiction. By document filed November 20, 2017 (Doc. 106), Plaintiff John Hartsoe advises the Court that he concedes the propriety of Umphrey's Motion. Therefore,

IT IS ORDERED that:

(1) Umphrey's Motion to Dismiss (Doc. 104) is GRANTED;

(2) Hartsoe's related Motion to Dismiss (Doc. 106) is DENIED as moot;

and

(3) Umphrey's renewed Motion to Dismiss (Doc. 108) is DENIED as moot.

DATED this 28th day of November, 2017.

A handwritten signature in blue ink, reading "Dana L. Christensen", is written over a horizontal line.

Dana L. Christensen, Chief Judge
United States District Court